

U.S. Department of Labor

Employment Standards Administration
Wage and Hour Division



MAY 14 2003

ALL AGENCY MEMORANDUM NUMBER 196

To: All Contracting Agencies of the Federal Government and Contracting Agencies of the District of Columbia

FROM: Tammy D. McCutcheon
Administrator

SUBJECT: Service Contract Act Health and Welfare Fringe Benefit Changes

In accordance with the requirements of Section 4.52 of Regulations, 29 CFR Part 4, the prevailing health and welfare fringe benefits issued under the McNamara O'Hara Service Contract Act (SCA) will be increased on June 1, 2003. As prescribed by the Regulations the new benefit rate is derived from the latest Bureau of Labor Statistics Employment Cost Index (ECI) summary of **Employer Cost for Employee Compensation**. Effective June 1, 2003 the new SCA health and welfare benefit rate will be \$2.36 per hour or \$94.40 per week or \$409.07 per month.

Solicitation/Contracts Affected

All Invitation for Bids opened, or other service contracts awarded on or after June 1, 2003 must include an updated SCA wage determination (WD) issued in accordance with the regulatory health and welfare fringe benefit determination methodology. Contracting agencies may make pen and ink changes to their current WD if received for contracts beginning on or after June 1, and for which the updated health and welfare rates were not included. It is not required that contracting agencies request a revised WD for only a health and welfare rate change. Contracts with wage determinations currently requiring health and welfare benefits costing an average of \$2.56 per hour are not affected by this change.

Wage Determination for the State of Hawaii

Under Section 2(a)(2) of the Service Contract Act, fringe benefit payments that are required by state law may not be used to satisfy the employer's fringe benefit obligations. In Hawaii, most employers are required by law to provide health insurance coverage for their employees. Therefore, employer contributions that are made to satisfy the employer's obligations under the Hawaii mandated prepaid Health Care Act may not be credited toward meeting the contractor's obligations under SCA. The SCA WD's have addressed this issued in the past by excluding the health insurance portion. Currently, most Hawaii WD's specify a health and welfare benefit amount of \$.99 per hour.

Working for America's Workforce

Consistent with past practices, and in recognition of the fact that Hawaii law requires employers to provide health care coverage for most employees, the SCA WD's for Hawaii will continue to exclude the health insurance portion of the benefits for all employees on whose behalf the employer provides benefits pursuant to the Health Care Act. However, all employers are not required to make and, in fact, do not make contributions for certain employees under the Hawaii law. If this is the case, then the reduced fringe benefits level is not appropriate for these employees.

Therefore, effective June 1, 2003 the new SCA health and welfare fringe benefits level for Hawaii will be \$1.01 per hour, or \$40.40 per week, or \$175.07 per month for all employees on whose behalf the contractor provides health care benefits pursuant to the Hawaii Health Care Act. For those employees who are not receiving health care benefits mandated by the Hawaii Health Care Act, the new health and welfare benefit rate will be \$2.36 per hour.

STANDARD FORM 98 Rev. Feb. 1973 U.S. DEPARTMENT OF LABOR EMPLOYMENT STANDARDS ADMINISTRATION	NOTICE OF INTENTION TO MAKE A SERVICE CONTRACT AND RESPONSE TO NOTICE <i>(See Instructions on Reverse)</i>	1. NOTICE NO. <div style="font-size: 2em; font-weight: bold; display: inline-block;">A</div> 1804428
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MAIL TO: <div style="text-align: center;"> Administrator Wage and Hour Division U.S. Department of Labor Washington, D.C. 20210 </div>	2. Estimated solicitation date (use numerals) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Month</td><td>6</td><td>Day</td><td>13</td><td>Year</td><td>2003</td></tr> <tr> <td></td><td>6</td><td></td><td>12</td><td></td><td>2004</td></tr> </table> 3. Estimated date bids or proposals to be opened or negotiations begun (use numerals) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Month</td><td>6</td><td>Day</td><td>13</td><td>Year</td><td>2003</td></tr> <tr> <td></td><td>6</td><td></td><td>12</td><td></td><td>2004</td></tr> </table> 4. Date contract performance to begin (use numerals) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Month</td><td>6</td><td>Day</td><td>13</td><td>Year</td><td>2003</td></tr> <tr> <td></td><td>6</td><td></td><td>12</td><td></td><td>2004</td></tr> </table>	Month	6	Day	13	Year	2003		6		12		2004	Month	6	Day	13	Year	2003		6		12		2004	Month	6	Day	13	Year	2003		6		12		2004
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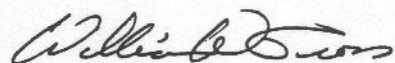
5. PLACE(S) OF PERFORMANCE Albuquerque, NM Bernalillo County Los Alamos, NM <u>Los Alamos County, NM</u>	6. SERVICES TO BE PERFORMED (describe) <div style="text-align: center; font-size: 2em; font-weight: bold;">2</div> Services to be performed are described in worksheets attached to this notice.
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7. INFORMATION ABOUT PERFORMANCE A. <input checked="" type="checkbox"/> Services now performed by a contractor B. <input type="checkbox"/> Services now performed by Federal employees C. <input type="checkbox"/> Services not presently being performed		
8. IF BOX A IN ITEM 7 IS MARKED, COMPLETE ITEM 8 AS APPLICABLE		
a. Name and address of incumbent contractor Blanket Wage Determination See Attached	b. Number(s) of any wage determination(s) in incumbent's contract 94-2361 Revision (18)	
c. Name(s) of union(s) if services are being performed under collective bargaining agreement(s). <i>Important:</i> Attach copies of current applicable collective bargaining agreements		

9. OFFICIAL SUBMITTING NOTICE	
SIGNED: <u>Roberto A. Archuleta</u>	DATE: <u>4/14/03</u>
TYPE OR PRINT NAME Roberto A. Archuleta Regional Blanket Coordinator	TELEPHONE NO. (505) 845-4222
10. TYPE OR PRINT NAME AND TITLE OF PERSON TO WHOM RESPONSE IS TO BE SENT AND NAME AND ADDRESS OF DEPARTMENT OR AGENCY, BUREAU, DIVISION, ETC.	
<div style="text-align: center;"> Roberto A. Archuleta U.S. Dept. of Energy/NNSA Contractor Human Resources Division P. O. Box 5400 Albuquerque, NM 87185-5400 </div>	

RESPONSE TO NOTICE <i>(by Department of Labor)</i> A. <input checked="" type="checkbox"/> The attached wage determination(s) listed below apply to procurement. <u>94-2361(19)</u> B. <input type="checkbox"/> As of this date, no wage determination applicable to the specified locality and classes of employees is in effect. C. <input type="checkbox"/> From information supplied, the Service Contract Act does not apply (see attached explanation). D. <input type="checkbox"/> Notice returned for additional information (see attached explanation).	<div style="text-align: center;"> <u>Charles D. Russell</u> <i>(U.S. Department of Labor)</i> MAY - 6 2003 <i>(Date)</i> </div>
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REGISTER OF WAGE DETERMINATIONS UNDER
THE SERVICE CONTRACT ACT
By direction of the Secretary of Labor



William W. Gross
Director

Division of
Wage Determinations

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION
WASHINGTON, D.C. 20210

Wage Determination No.: 1994-2361

Revision No.: 19

Date of Last Revision: 05/29/2002

State: New Mexico

Area: New Mexico Counties of Bernalillo, Catron, Cibola, Colfax, De Baca, Guadalupe, Harding, Los Alamos, McKinley, Mora, Rio Arriba, San Juan, San Miguel, Sandoval, Santa Fe, Socorro, Taos, Torrance, Valencia

** Fringe Benefits Required Follow the Occupational Listing **

CODE	OCCUPATION TITLE	MINIMUM WAGE RATE
01000	Administrative Support and Clerical Occupations	
01011	Accounting Clerk I	8.48
01012	Accounting Clerk II	9.76
01013	Accounting Clerk III	12.23
01014	Accounting Clerk IV	15.51
01030	Court Reporter	11.55
01050	Dispatcher, Motor Vehicle	11.55
01060	Document Preparation Clerk	10.91
01070	Messenger (Courier)	8.08
01090	Duplicating Machine Operator	10.91
01110	Film/Tape Librarian	9.14
01115	General Clerk I	7.00
01116	General Clerk II	8.28
01117	General Clerk III	9.50
01118	General Clerk IV	11.02
01120	Housing Referral Assistant	14.84
01131	Key Entry Operator I	7.91
01132	Key Entry Operator II	9.88
01191	Order Clerk I	8.67
01192	Order Clerk II	10.35
01261	Personnel Assistant (Employment) I	10.60
01262	Personnel Assistant (Employment) II	11.91
01263	Personnel Assistant (Employment) III	13.16
01264	Personnel Assistant (Employment) IV	15.23
01270	Production Control Clerk	13.93
01290	Rental Clerk	9.09
01300	Scheduler, Maintenance	11.61
01311	Secretary I	11.61
01312	Secretary II	12.83
01313	Secretary III	14.84
01314	Secretary IV	16.85
01315	Secretary V	21.01
01320	Service Order Dispatcher	10.45

01341	Stenographer I	10.45
01342	Stenographer II	11.74
01400	Supply Technician	16.85
01420	Survey Worker (Interviewer)	10.04
01460	Switchboard Operator-Receptionist	9.57
01510	Test Examiner	12.83
01520	Test Proctor	12.83
01531	Travel Clerk I	10.38
01532	Travel Clerk II	11.19
01533	Travel Clerk III	11.90
01611	Word Processor I	9.80
01612	Word Processor II	11.02
01613	Word Processor III	12.32
03000	Automatic Data Processing Occupations	
03010	Computer Data Librarian	10.45
03041	Computer Operator I	12.57
03042	Computer Operator II	12.80
03043	Computer Operator III	16.91
03044	Computer Operator IV	18.80
03045	Computer Operator V	21.53
03071	Computer Programmer I (1)	15.21
03072	Computer Programmer II (1)	17.41
03073	Computer Programmer III (1)	21.93
03074	Computer Programmer IV (1)	26.52
03101	Computer Systems Analyst I (1)	17.50
03102	Computer Systems Analyst II (1)	22.59
03103	Computer Systems Analyst III (1)	26.60
03160	Peripheral Equipment Operator	12.67
05000	Automotive Service Occupations	
05005	Automotive Body Repairer, Fiberglass	15.27
05010	Automotive Glass Installer	13.99
05040	Automotive Worker	13.99
05070	Electrician, Automotive	16.03
05100	Mobile Equipment Servicer	11.94
05130	Motor Equipment Metal Mechanic	15.90
05160	Motor Equipment Metal Worker	13.99
05190	Motor Vehicle Mechanic	16.03
05220	Motor Vehicle Mechanic Helper	12.04
05250	Motor Vehicle Upholstery Worker	13.99
05280	Motor Vehicle Wrecker	13.99
05310	Painter, Automotive	15.20
05340	Radiator Repair Specialist	13.99
05370	Tire Repairer	10.94
05400	Transmission Repair Specialist	15.90
07000	Food Preparation and Service Occupations	
	Food Service Worker	6.97

07010	Baker	11.12
07041	Cook I	9.75
07042	Cook II	11.12
07070	Dishwasher	6.65
07130	Meat Cutter	13.77
07250	Waiter/Waitress	7.15
09000	Furniture Maintenance and Repair Occupations	
09010	Electrostatic Spray Painter	14.65
09040	Furniture Handler	11.32
09070	Furniture Refinisher	14.49
09100	Furniture Refinisher Helper	11.32
09110	Furniture Repairer, Minor	13.70
09130	Upholsterer	14.65
11030	General Services and Support Occupations	
11030	Cleaner, Vehicles	7.56
11060	Elevator Operator	7.60
11090	Gardener	11.82
11121	House Keeping Aid I	6.73
11122	House Keeping Aid II	7.76
11150	Janitor	7.60
11210	Laborer, Grounds Maintenance	8.60
11240	Maid or Houseman	6.73
11270	Pest Controller	12.02
11300	Refuse Collector	7.14
11330	Tractor Operator	10.83
11360	Window Cleaner	8.75
12000	Health Occupations	
12020	Dental Assistant	11.27
12040	Emergency Medical Technician (EMT)/Paramedic/Ambulance Driver	12.33
12071	Licensed Practical Nurse I	12.90
12072	Licensed Practical Nurse II	12.90
12073	Licensed Practical Nurse III	14.43
12100	Medical Assistant	10.21
12130	Medical Laboratory Technician	12.93
12160	Medical Record Clerk	11.24
12190	Medical Record Technician	13.54
12221	Nursing Assistant I	8.04
12222	Nursing Assistant II	9.04
12223	Nursing Assistant III	9.87
12224	Nursing Assistant IV	11.07
12250	Pharmacy Technician	12.19
12280	Phlebotomist	10.65
12311	Registered Nurse I	15.04
12312	Registered Nurse II	18.40
12313	Registered Nurse II, Specialist	18.40

12314	Registered Nurse III	22.27
12315	Registered Nurse III, Anesthetist	22.27
12316	Registered Nurse IV	26.68
13000	Information and Arts Occupations	
13002	Audiovisual Librarian	11.94
13011	Exhibits Specialist I	12.68
13012	Exhibits Specialist II	15.48
13013	Exhibits Specialist III	19.37
13041	Illustrator I	14.58
13042	Illustrator II	17.80
13043	Illustrator III	22.28
13047	Librarian	16.53
13050	Library Technician	10.09
13071	Photographer I	12.66
13072	Photographer II	14.06
13073	Photographer III	17.30
13074	Photographer IV	19.37
13075	Photographer V	23.43
15000	Laundry, Dry Cleaning, Pressing and Related Occupations	
15010	Assembler	6.70
15030	Counter Attendant	6.53
15040	Dry Cleaner	7.51
15070	Finisher, Flatwork, Machine	6.70
15090	Presser, Hand	6.70
15100	Presser, Machine, Drycleaning	6.70
15130	Presser, Machine, Shirts	6.70
15160	Presser, Machine, Wearing Apparel, Laundry	6.70
15190	Sewing Machine Operator	8.49
15220	Tailor	9.79
15250	Washer, Machine	7.00
19000	Machine Tool Operation and Repair Occupations	
19010	Machine-Tool Operator (Toolroom)	16.41
19040	Tool and Die Maker	19.81
21000	Material Handling and Packing Occupations	
21010	Fuel Distribution System Operator	12.80
21020	Material Coordinator	13.46
21030	Material Expediter	13.46
21040	Material Handling Laborer	9.92
21050	Order Filler	9.83
21071	Forklift Operator	11.24
21080	Production Line Worker (Food Processing)	10.49
21100	Shipping/Receiving Clerk	10.67
21130	Shipping Packer	10.67
21140	Store Worker I	8.08
21150	Stock Clerk (Shelf Stocker; Store Worker II)	10.71

21210	Tools and Parts Attendant	10.49
21400	Warehouse Specialist	10.49
23000	Mechanics and Maintenance and Repair Occupations	
23010	Aircraft Mechanic	15.54
23040	Aircraft Mechanic Helper	11.32
23050	Aircraft Quality Control Inspector	16.56
23060	Aircraft Servicer	12.80
23070	Aircraft Worker	13.70
23100	Appliance Mechanic	14.49
23120	Bicycle Repairer	10.94
23125	Cable Splicer	16.69
23130	Carpenter, Maintenance	14.49
23140	Carpet Layer	15.76
23160	Electrician, Maintenance	17.48
23181	Electronics Technician, Maintenance I	14.94
23182	Electronics Technician, Maintenance II	18.44
23183	Electronics Technician, Maintenance III	19.56
23260	Fabric Worker	10.60
23290	Fire Alarm System Mechanic	15.54
23310	Fire Extinguisher Repairer	12.80
23340	Fuel Distribution System Mechanic	15.54
23370	General Maintenance Worker	13.70
23400	Heating, Refrigeration and Air Conditioning Mechanic	15.91
23430	Heavy Equipment Mechanic	15.37
23440	Heavy Equipment Operator	13.88
23460	Instrument Mechanic	15.54
23470	Laborer	8.21
23500	Locksmith	14.65
23530	Machinery Maintenance Mechanic	16.75
23550	Machinist, Maintenance	15.95
23580	Maintenance Trades Helper	12.04
23640	Millwright	17.20
23700	Office Appliance Repairer	14.65
23740	Painter, Aircraft	14.49
23760	Painter, Maintenance	14.49
23790	Pipefitter, Maintenance	17.61
23800	Plumber, Maintenance	16.47
23820	Pneudraulic Systems Mechanic	15.54
23850	Rigger	15.54
23870	Scale Mechanic	15.20
23890	Sheet-Metal Worker, Maintenance	15.20
23910	Small Engine Mechanic	13.70
23930	Telecommunication Mechanic I	15.20
23931	Telecommunication Mechanic II	16.02
23950	Telephone Lineman	15.54
23960	Welder, Combination, Maintenance	15.20
23965	Well Driller	15.54
23970	Woodcraft Worker	15.54

23980	Woodworker	15.20
24000	Personal Needs Occupations	
24570	Child Care Attendant	8.52
24580	Child Care Center Clerk	12.21
24600	Chore Aid	7.05
24630	Homemaker	15.61
25000	Plant and System Operation Occupations	
25010	Boiler Tender	17.48
25040	Sewage Plant Operator	16.66
25070	Stationary Engineer	17.48
25190	Ventilation Equipment Tender	10.60
25210	Water Treatment Plant Operator	14.99
27000	Protective Service Occupations	
	Police Officer	14.96
27004	Alarm Monitor	7.99
27006	Corrections Officer	12.06
27010	Court Security Officer	12.06
27040	Detention Officer	12.06
27070	Firefighter	11.88
27101	Guard I	7.15
27102	Guard II	8.00
28000	Stevedoring/Longshoremen Occupations	
28010	Blocker and Bracer	13.67
28020	Hatch Tender	13.67
28030	Line Handler	13.67
28040	Stevedore I	13.28
28050	Stevedore II	13.86
29000	Technical Occupations	
21150	Graphic Artist	18.52
29010	Air Traffic Control Specialist, Center (2)	28.21
29011	Air Traffic Control Specialist, Station (2)	19.46
29012	Air Traffic Control Specialist, Terminal (2)	21.43
29023	Archeological Technician I	14.26
29024	Archeological Technician II	15.95
29025	Archeological Technician III	19.75
29030	Cartographic Technician	19.85
29035	Computer Based Training (CBT) Specialist/ Instructor	22.03
29040	Civil Engineering Technician	17.42
29061	Drafter I	12.80
29062	Drafter II	14.37
29063	Drafter III	17.24
29064	Drafter IV	19.63
29081	Engineering Technician I	13.47
29082	Engineering Technician II	15.12

29083	Engineering Technician III	16.91
29084	Engineering Technician IV	18.84
29085	Engineering Technician V	22.42
29086	Engineering Technician VI	27.08
29090	Environmental Technician	16.04
29100	Flight Simulator/Instructor (Pilot)	25.50
29160	Instructor	19.15
29210	Laboratory Technician	16.17
29240	Mathematical Technician	17.40
29361	Paralegal/Legal Assistant I	10.91
29362	Paralegal/Legal Assistant II	14.32
29363	Paralegal/Legal Assistant III	17.52
29364	Paralegal/Legal Assistant IV	21.18
29390	Photooptics Technician	15.13
29480	Technical Writer	19.69
29491	Unexploded Ordnance (UXO) Technician I	17.93
29492	Unexploded Ordnance (UXO) Technician II	21.70
29493	Unexploded Ordnance (UXO) Technician III	26.01
29494	Unexploded (UXO) Safety Escort	17.93
29495	Unexploded (UXO) Sweep Personnel	17.93
29620	Weather Observer, Senior (3)	17.97
29621	Weather Observer, Combined Upper Air and Surface Programs (3)	16.17
29622	Weather Observer, Upper Air (3)	16.17
31000	Transportation/ Mobile Equipment Operation Occupations	
31030	Bus Driver	12.55
31260	Parking and Lot Attendant	7.58
31290	Shuttle Bus Driver	10.96
31300	Taxi Driver	9.07
31361	Truckdriver, Light Truck	10.21
31362	Truckdriver, Medium Truck	12.75
31363	Truckdriver, Heavy Truck	14.84
31364	Truckdriver, Tractor-Trailer	14.84
99000	Miscellaneous Occupations	
99020	Animal Caretaker	8.85
99030	Cashier	7.69
99041	Carnival Equipment Operator	10.36
99042	Carnival Equipment Repairer	11.29
99043	Carnival Worker	7.14
99050	Desk Clerk	8.52
99095	Embalmer	17.93
99300	Lifeguard	9.42
99310	Mortician	17.93
99350	Park Attendant (Aide)	11.84
99400	Photofinishing Worker (Photo Lab Tech., Darkroom Tech)	10.04
99500	Recreation Specialist	13.57
99510	Recycling Worker	10.36

99610	Sales Clerk	9.34
99620	School Crossing Guard (Crosswalk Attendant)	6.61
99630	Sport Official	8.73
99658	Survey Party Chief (Chief of Party)	13.68
99659	Surveying Technician (Instr. Person/Surveyor Asst./Instr.)	12.55
99660	Surveying Aide	12.44
99690	Swimming Pool Operator	11.46
99720	Vending Machine Attendant	9.21
99730	Vending Machine Repairer	11.46
99740	Vending Machine Repairer Helper	8.25

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

**2.36 per US DOL All Agency Memorandum dated May 14, 2003.*
 HEALTH & WELFARE: ~~\$2.45~~ an hour or \$86.00 a week or \$372.67 a month

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 10 years, and 4 after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of ten paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

THE OCCUPATIONS WHICH HAVE PARENTHESES AFTER THEM RECEIVE THE FOLLOWING BENEFITS (as numbered):

1) Does not apply to employees employed in a bona fide executive, administrative, or professional capacity as defined and delineated in 29 CFR 541. (See CFR 4.156)

2) APPLICABLE TO AIR TRAFFIC CONTROLLERS ONLY - NIGHT DIFFERENTIAL: An employee is entitled to pay for all work performed between the hours of 6:00 P.M. and 6:00 A.M. at the rate of basic pay plus a night pay differential amounting to 10 percent of the rate of basic pay.

3) WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

HAZARDOUS PAY DIFFERENTIAL: An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordnance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance,

explosives, and incendiary material differential pay.

**** UNIFORM ALLOWANCE ****

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

**** NOTES APPLYING TO THIS WAGE DETERMINATION ****

Source of Occupational Title and Descriptions:

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations," Fourth Edition, January 1993, as amended by the Third Supplement, dated March 1997, unless otherwise indicated. This publication may be obtained from the Superintendent of Documents, at 202-783-3238, or by writing to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of specific job descriptions may also be obtained from the appropriate contracting officer.

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE {Standard Form 1444 (SF 1444)}

Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C)(vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).

4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.

5) The contracting officer transmits the Wage and Hour decision to the contractor.

6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.